PUBLIC PERCEPTION OF CRIME AND JUSTICE IN CANADA: A REVIEW OF OPINION POLLS

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The views expressed herein are solely those of the author and do not necessarily reflect those of the Department of Justice Canada.

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TABLE OF CONTENTS

EXECUTIVE SUMMARY vii

1.0 CANADIANS' CONCERNS IN RELATION TO CRIME 1
- 1.1 Salience of crime and violence in Canada 1
- 1.2 Crime of greatest concern 1
- 1.3 Neighbourhood and community crime 2
- 1.4 Causes of crime 2
- 1.5 Citizen crime prevention 3
- 1.6 Fear of walking at night in neighbourhood 4
- 1.7 Levels of violent crime 5
- 1.8 Crime trends 5
- 1.9 Homicide 6
- 1.10 Sexual assaults 7
- 1.11 Assault 7
- 1.12 Media influence? 7
- 1.13 Section summary 8

2.0 PERCEPTION OF CRIMINAL JUSTICE INSTITUTIONS 9
- 2.1 Confidence in the Criminal Justice System 9
- 2.2 Confidence 11
- 2.3 Crime and the response of the Justice System 11
- 2.4 Laws and law enforcement 12
- 2.5 Public priorities in crime and justice 12
- 2.6 Credibility of spokespersons 13
- 2.7 Section summary 14

3.0 CRIMES OF DOMESTIC VIOLENCE 15
- 3.1 Child abuse 15
- 3.2 Facts about child abuse 15
- 3.3 Section summary 16

4.0 THE CRIMINAL JUSTICE SYSTEM 17
- 4.1 Courts 17
  - 4.1.1 Alternatives to incarceration 17
- 4.2 Sentencing 19
  - 4.2.1 Courts and sentencing 19
- 4.3 Corrections 20
  - 4.3.1 Prisons and alternate sentencing 20
  - 4.3.2 Parole 20
- 4.4 Section summary 21

5.0 PUBLIC AWARENESS AND PERCEPTIONS OF LAW REFORM INITIATIVES 23
- 5.1 Gun control 23

6.0 YOUTH CRIMINAL JUSTICE ACT 27
6.1 The legislation 27
6.2 Sentencing 27
6.3 Age of offender 27
6.4 Native justice system 28
6.5 Section summary 28

7.0 OTHER CRIMINAL JUSTICE ISSUES 31
7.1 Legalization of marijuana 31
7.2 Private security firms 31
7.3 Wrongful convictions 32
7.4 Death penalty 32
7.5 Section summary 34

8.0 YOUTH JUSTICE ISSUES 35
8.1 Youth gangs and violence 35
8.2 The *Young Offenders Act* and proposed Youth Criminal Justice Act 35
8.3 Students' knowledge and perception of the *Young Offenders Act* 37
8.4 Facts about youth crime 39
8.5 Section summary 39

REFERENCES 41

LIST OF TABLES

Table 1: Crime of greatest concern 1
Table 2: Canadians perceived causes of crime: 1998 3
Table 3: Fear of walking at night in one's neighbourhood: 2000 4
Table 4: Perceived level of violent crime 5
Table 5: Sexual assaults in Canada 7
Table 6: Public perception of how the courts deal with criminals: 1998 9
Table 7: Treatment of criminals by the Federal Government: 1998 10
Table 8: Treatment of criminals by the police: 1998 10
Table 9: Canadians' level of confidence in criminal justice institutions 11
Table 10: Canadians' perceptions of the harshness of the justice system 12
Table 11: Canadians' priorities for the justice system 13
Table 12: Credibility of spokespersons 14
Table 13: Reasons for opposition to alternatives to incarceration: 1997 17
Table 14: Public support for specific alternatives to incarceration 18
Table 15: Priorities in crime prevention strategies 18
Table 16: Support for imprisonment or conditional sentence for particular offences 20
Table 17: Attitudes towards National Firearms Registry 23
Table 18: Concerns if private security firms ran more prisons 32
Table 19: Support for reinstatement of the death penalty 33
Table 20: Attitude concerning death penalty even if proven it does not lower murder rate 33
Table 21: Attitude concerning death penalty if proven it does act as a deterrent to murder 34

LIST OF FIGURES

Figure 1: Concern for community crime: 1990, 1994, 1998 2
Figure 2: Responsibility for crime prevention: 1994, 1998 3
Figure 3: Perceived increases in crime: 1998 5
Figure 4: Violent crime rate/100,000: 1999 6
Figure 5: Homicide and attempted murder rate/100,000 6
Figure 6: Canadians' priority for the criminal justice system 12
Figure 7: Perpetrators of assaults against children 16
Figure 8: How offenders between the ages of 12 and 17 should be tried 36
Figure 9: Violent Juvenile Offenders being tried in adult court and serving time in adult prisons 37

EXECUTIVE SUMMARY

Introduction

This report summarizes research relating to public attitudes in Canada towards a number of criminal justice issues. The focus in the summary is on the public's perceptions of rates of criminal activity, compared with the actual rates. Wherever possible, information pertaining to the knowledge base that underlies these assumptions is included.

Findings

Canadians' Concerns in Relation to Crime

Salience of crime

Overall, Canadians do not consider crime to be a "top-of-mind" concern. Public concern has fluctuated little over the years, and has been decreasing as of late.

Most important crime

Canadians identify crimes of violence against children as the most important or troubling crime, followed by violent crime in general, street gangs, youth crime and violence against women.

Crime and the community

The community and problems associated with it are of great concern to Canadians. The majority of Canadians perceive social factors, such as poor parenting and broken homes, as the primary causes of crime. At the same time, they feel that the average citizen is responsible for crime prevention and safety within the community. Although fear of walking in the neighborhood alone at night has decreased in recent years, one third of respondents still indicate some fear.

The media

Canadians reject the notion that the media play an influential role in determining their attitudes towards crime. The public is of the opinion that increases in violent crime, youth crime and crimes in general are real and not simply a result of media coverage.

Perceptions of Crime Rates and Criminal Justice

Levels of violent crime

Despite concerns about walking alone at night in the community, Canadians perceive the level of violent crime in their communities to be decreasing. Conversely, Canadians perceive crime rates in general as increasing, and respect for the law as decreasing. In reality, rates of violent crime in Canada reported to the police, including homicide, sexual assault and assault have been decreasing now seven consecutive years.

Confidence in the system

Canadians have varying degrees of confidence in particular aspects of the Criminal Justice System. The public perceives law enforcement as a whole as being insufficiently rigorous in Canada, and is particularly dissatisfied with certain features such as the courts and corrections.

Credibility of spokespersons

Police chiefs and victim's rights groups receive the highest ratings from the Canadian public. Researchers and government statistics are seen to be less credible, and the media even less so. Both federal and provincial government officials generate the least credibility of all groups.

Laws and law enforcement

Sentences imposed are perceived by the majority of Canadians to be too lenient. The same holds true for the laws that are in place to deal with lawbreakers.

Crimes of Domestic Violence

Child abuse

Canadians indicate a particular concern for crimes of violence against children, but few had personal experiences with any such victimization. Of those who were aware, the reaction by the majority of respondents was to do nothing about it. However, the level of inactivity in response to such incidences has decreased significantly from 1997.

The Criminal Justice System

Courts

Canadians are supportive of alternatives to incarceration for non-violent crimes. How people feel about this issue is tied to perceptions of the system as a whole as too lax, as those who felt that the system is too lax were not supportive of alternative sanctions and community-based corrections such as electronic monitoring, halfway houses and parole. Public safety is an important consideration for most Canadians, as evidenced by their perceived aims of incarceration.

Sentencing and Corrections

Canadians are of the opinion that sentences handed down by the courts are not severe enough. With respect to the newly established conditional sentence, Canadians are supportive of its use depending on the nature of the conditions and the duration of the sentence. However, it is not seen as an acceptable sentence for certain offences, primarily those of a sexual nature.

Parole

The majority of Canadians would like to see the parole system made stricter. However, support for an expansion of the current system is also strong.

Public awareness of law reform initiatives

Legalization of marijuana

A small majority of Canadians are supportive of legalizing marijuana.

Gun control

Support for gun control legislation has fluctuated over the years, but remains high. A small majority of the public strongly favours mandatory firearm registration. Members of the public approve of gun ownership for the purposes of hunting, but they oppose more general ownership. Mandatory safety courses for gun users are strongly supported.

Youth Justice Act

Many Canadians feel that the new Youth Criminal Justice Act is an improvement over the Young Offenders Act, but is not as harsh as it should be, especially with respect to violent and repeat offenders.

Other Criminal Justice Issues

Wrongful convictions

In the wake of recent cases of wrongful conviction in Canada, the majority of Canadians are of the opinion that the justice system needs to increase its efforts to prevent such miscarriages of justice. The majority of respondents also believe that the wrongfully convicted should receive some form of financial compensation

Death penalty

A slim majority of Canadians, if given the opportunity, would vote to reinstate capital punishment for murder. Notwithstanding this finding, a substantial majority of Canadians do not believe that capital punishment serves as a deterrent to murder.

Native justice system

A bare majority of Canadians are in favour of a Native justice system. Support for this separate system has been increasing over the past eight years.

Private security firms

Canadians are open to the use of private security firms to reduce costs within the criminal justice system. Support for the use of private security firms to patrol areas such as airports and ports is relatively high. However, opinions are mixed as to whether such firms are appropriate for running correctional institutions. Public objections to the use of private security firms is related to the increased risk to the community.

Conclusions

Canadians are concerned about crime in the country as a whole, and more specifically in their own neighbourhoods. Despite a decreasing concern for crime, the public's fears remain unrelated to actual crime rates and potential for victimization, as perceptions of criminal activity and violence are not in tune with reality. This is particularly true with respect to youth crime, which continues to be perceived as a growing problem. At the same time, Canadians do not have a lot of confidence in the criminal justice system, in particular the courts and corrections.

1.0 CANADIANS' CONCERNS IN RELATION TO CRIME

1.1 Salience of crime and violence in Canada

Different polls generate different results regarding Canadians' consideration of crime and violence in Canada as a "top-of-mind" concern. A CBC/Maclean's Magazine survey in 1999 indicates that of those polled, only 3% rate crime and violence as the most important problem facing Canada. Crime is third in importance after the economy and unemployment (19%), and government spending and the deficit (10%). Concern for crime has fluctuated little over the years, and the 1998 rate is up from 2% in 1985, and down from 6% in 1994.

A 1997 Angus Reid poll generates slightly different results. Overall, 22% of those polled mention crime as a "top-of-mind" important issue facing the community, second only to unemployment (42%). A majority of Canadians also perceive that local crime rates have increased over the past five years (59%). This is down slightly from 68% in 1994 and is more similar to the 1990 perception of 57%.

1.2 Crime of greatest concern

When Canadians are asked in the 1998 Environics poll to identify the crimes that are most important or troubling to them, offences against children are most frequently mentioned (Table 1). In 1998, 24% of respondents mentioned such crimes as important, a two point increase from 1994. Violent crime in general is down two points to 17% in 1998. Specific violent crimes including murder (14%) and sexual assault (10%) merit mentioning as being most important.

According to the Environics poll (1998), street gangs and youth crimes are mentioned less often (7%) as troubling, as is violence against women (5%). Since 1994, the proportion of respondents that mention property crime as most troubling has decreased five points to 6% in 1998.

Table 1: Crime of greatest concern

Crime of greatest concern	1994	1998
Crimes against children	22%	24%
Violent crime	19	17
Murder	13	14
Sexual assault	12	10
Street gangs/youth	7	7
Violence against women	4	5
Property crime	11	6

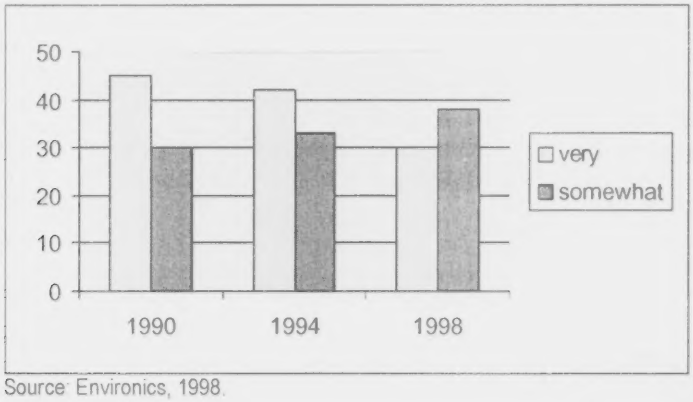
Source: Environics, 1998.

Question:
When you see and hear about crime, what specific type of crime personally troubles you the most?

1.3 Neighbourhood and community crime

According to the 1998 Environics poll, Canadians are less concerned in 1998 than they were in 1994 about crime in their community (see Figure 1). Since 1990, Canadians are increasingly viewing crime as a *somewhat* or *not very important* problem in the community at large. In 1998, 38% of respondents on the poll view crime as *somewhat important*, compared with 33% in 1994 and 30% in 1990. At the same time, the perception of crime as *very important* has been declining steadily since 1990, when it peaked at 45%. In 1994, 42% of respondents perceived crime as *very important* and this rate continued to drop to 30% in 1998. In 1998, the proportion of people who view community crime as *not very/not at all important* reached an all-time high of 31%.

Figure 1: Concern for community crime: 1990, 1994, 1998



Source: Environics, 1998.

Question:
Would you say that crime is a very important, somewhat important, not very important or not at all important problem in your community?

When asked if respondents considered crime in their neighbourhood to be a serious problem, a strong majority denies that it is a problem. This rate has remained relatively constant, with 79% in 1990, 75% in 1994 and 80% in 1998 holding this view. In 1998, 18% of respondents viewed crime as a serious problem, compared to 23% in 1994. The current rate is similar to what it was in 1990, with 17% viewing it as a serious problem.

1.4 Causes of crime

Overall, Canadians view social problems as being the primary cause of crime (Table 2). The 1998 Environics survey indicates that 64% of respondents attribute crime to poor parenting and broken homes, and 63% attribute it to illegal drug availability. Another 53% cite a soft justice system as being responsible, 52% cite poverty, 51% cite low moral standards, 50% cite unemployment, 49% cite violence on television, and 48% cite lack of discipline in schools. Interestingly, although they identify social problems as a cause of crime, a small percentage of respondents also mention lack of childcare and family services (28%). Twenty-six percent of respondents cite insufficient police as a primary cause of crime.

Table 2: Canadians perceived causes of crime: 1998

Causes of crime	%
Poor parenting and broken homes	64
Illegal drug availability	63
Soft justice system	53
Poverty	52
Low moral standards	51
Unemployment	50
Violence on television	49
Lack of discipline in schools	48
Lack of family and childcare services	28
Insufficient police	26

Source: Environics, 1998.

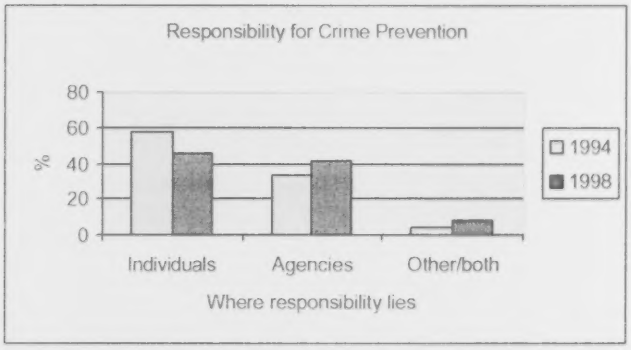
Question:
Do you think each of the following is a very important, somewhat important, not very important or not at all important cause of crime in Canada today?

1.5 Citizen crime prevention

Since 1994, the percentage of Canadians who believe that citizens are responsible for crime prevention and safety within their own communities has declined. The 1998 Environics survey indicates that 46% of respondents, down from 58% in 1994, hold the belief that the average person should be doing more to detect and prevent crime in the neighbourhood (Figure 2).

The proportion of those who believe that law enforcement agencies should do more has increased from 33% in 1994 to 42% in 1998. Eight percent of respondents in 1998, compared to 4% in 1994, feel that both individuals and agencies should be doing more, or offer some other opinion.

Figure 2: Responsibility for crime prevention: 1994, 1998



Source: Environics, 1998.

Question:
Some people say that the average person should be doing more to detect and prevent crime in their neighbourhoods. Others say that people are doing all they can and that it's up to the law enforcement agencies to do more. Which of these two opinions is closest to your own?

1.6 Fear of walking at night in neighbourhood

When asked in the CBC/Maclean's survey about walking the streets alone at night in their community, 32% of respondents indicate that they *somewhat* or *strongly agree* that they would not. Significantly higher proportions of women than men responded that they would be unwilling to walk alone (48% vs. 16%).

According to National Gallup polls, levels of fear of walking alone at night in the neighbourhood have remained relatively constant over the years, with the exception of 1998 during which reported fear fell to an all-time low (Table 3). Since 1970, approximately one-third of those polled have responded that they would be afraid to walk at night in certain areas near where they live. In 2000, of those asked whether there *is any area around where you live, that is say within a couple of kilometres, where you would be afraid to walk at night?* 27% responded that they were afraid. This percentage has been increasing slightly since 1998, when fear was at its lowest recording, 25%. The highest rate of fear was recorded in 1974 and 1991 when it reached 37% of those polled.

Table 3: Fear of walking at night in one's neighborhood: 2000

	Yes	No	Unsure
2000	27%	72%	1%
1999	26	73	1
1998	25	74	1
1997	30	69	1
1996	33	66	1
1995	33	66	1
1994	35	64	1
1992	36	63	1
1991	37	60	3
1990	34	63	4
1987	27	71	2
1979	31	67	2
1974	37	63	0
1970	29	66	5

Source: Gallup, 2000

Question:
Is there any area right around where you live, that is say within a couple of kilometers, where you would be afraid to walk at night?

Gender differences have remained relatively constant, with fear levels higher among women than men. In 1996, almost one-half of women polled expressed fear of walking at night in the neighbourhood. In 1996 the rate was 47%, while in 1998 the rate drops to 37%, the lowest ever recorded so far. The 2000 rate is 41%. The rates are substantially different for men, of whom 17% in 1996 and 13% in 1998 expressed similar fears. This rate drops in 2000 to 12%.

Those age groups that express the greatest fear are in the 65 and over age group, and the 18-29 age group. Thirty-four percent of 18-29 year olds indicate that there is an area around where they live that they would be afraid to walk at night. This percentage is higher than the 65 and over age group (32%) and the 50-64 year age group (25%). Twenty-one percent of those aged 40-49 express similar fears.

1.7 Levels of violent crime

A 1998 national Gallup poll asked Canadians about the perceived level of violent crime in their community: *Do you think that the level of violent crime in your community has been increasing or decreasing recently or has it remained at the same level?*

Canadians continue to perceive the violent crime rate in their community as declining (Table 4). This perception has reached an all-time low of 33% in 1998, down from 45% in 1997. This is in contrast with 51% in 1998, and 48% in 1997 who perceive crime as remaining the same.

Table 4: Perceived level of violent crime

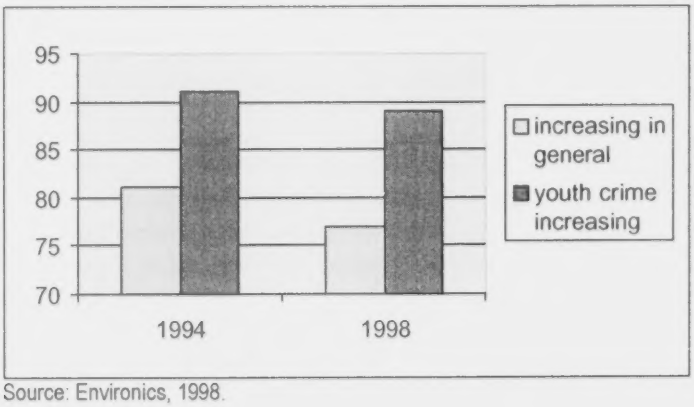
	Increasing	Remained the same	Decreasing	No Opinion
1998	33%	51%	12%	5%
1997	45	48	4	5
1996	43	48	4	5
1995	48	46	5	2
1994	54	39	4	2
1990	51	41	3	5

Source: Gallup, 1998.

1.8 Crime trends

As in other public opinion polls (Angus Reid, Gallup), a 1998 Environics survey indicates that the majority of Canadians believed that crime in general is increasing (Figure 3). While these rates have declined since 1994, they remain relatively high. In 1994, 81% of Canadians polled believed that criminal behaviour in general was increasing, compared with 77% in 1998. Youth crime is also believed to be on the increase and the 1998 rate of 89% of respondents perceiving an increase is once again lower then the 1994 rate of 91%.

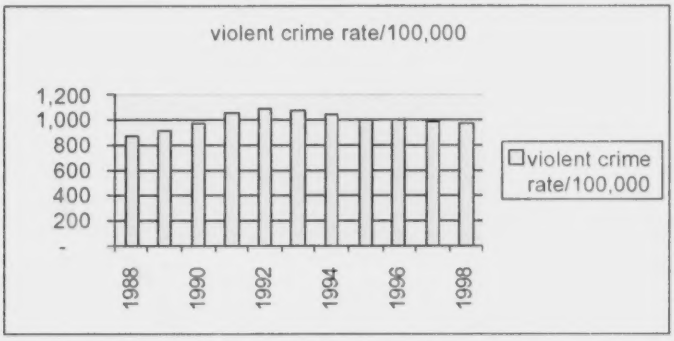
Figure 3: Perceived increases in crime: 1998



Source: Environics, 1998.

Despite the public's perception, violent crime in Canada has decreased for the seventh consecutive year (Canadian Centre for Justice Statistics, 1999). Prior to 1992, the crime rate had been increasing steadily over the past 15 years (Figure 4). The majority of assaults are level 1, the common and least serious form of assault, and account for 62.3% of all assaults. While it would appear that the 1998 violent crime rate is 12% higher than the corresponding 1988 rate, the increase is reduced to only 4% when common assaults are excluded from total violent crime.

Figure 4: Violent crime rate/100,000: 1999

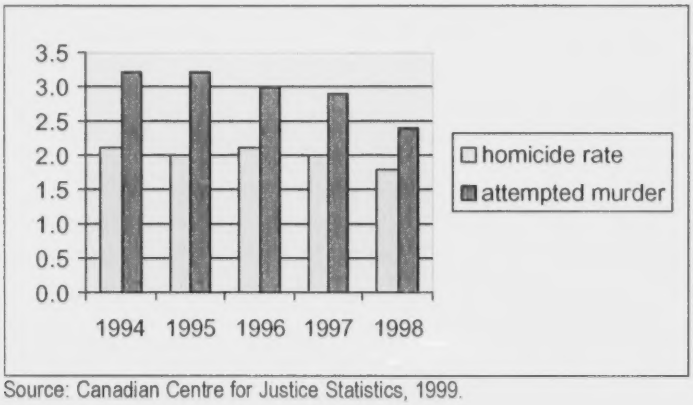


Source: Canadian Centre for Justice Statistics, 1999.

1.9 Homicide

The homicide rate also continues to drop (Figure 5). In 1998, there were 555 homicides, (which includes first and second-degree murder, as well as manslaughter and infanticide) and 738 attempted murders recorded by the police across Canada. The homicide rate, which currently stands at 1.8 per 100,000, has been declining since the 1970s, and the 1998 rate represents a 6% drop over the previous year. The 1998 rate is the lowest since 1968. The rate of attempted murders (2.4 per 100, 000) also declined in 1998.

Figure 5: Homicide and attempted murder rate/100,000



Source: Canadian Centre for Justice Statistics, 1999.

1.10 Sexual assaults

The rate of sexual assaults reported to police across Canada continues to decline, as it has for the past five years, since reaching its peak in 1993 (Canadian Centre for Justice Statistics, 1999). Sexual assault is classified at one of three levels according to the seriousness of the assault. Level 1 sexual assault entails the least physical injury to the victim; level 2 involves sexual assault with a weapon, threats to use a weapon, or causing bodily harm; and level 3 (aggravated sexual assault) entails assault resulting in wounding, maiming, disfigurement or endangering the life of a victim.

The majority of 25,493 sexual assaults recorded by the police were classified as level one, and account for 97% of all incidents in 1998 (Table 5). All three levels of sexual assault are down in 1998: aggravated sexual assault declines 19%, sexual assault with a weapon declines 13%, and level 1 sexual assaults declines 6%.

Table 5: Sexual assaults in Canada

Sexual Assaults	1994	1995	1996	1997	1998
Level 1	30,572	27,278	26,076	26,142	24,745
Level 2-Weapon	769	659	653	602	529
Level 3-Aggravated	365	297	297	269	219
Other sexual offences	3,818	3,494	3,343	3,650	3,459
Total	**35,524**	**31,728**	**30,369**	**30,663**	**28,952**

Source: Canadian Centre for Justice Statistics, 1999.

1.11 Assault

Assault is the most frequently reported sort of violent crime (Canadian Centre for Justice Statistics, 1999). There are three levels of assault: level 1 or common assault; level 2 or assault with a weapon or causing bodily harm; level 3 or aggravated assault; and other assaults which include assaulting a police officer, unlawfully causing bodily harm, discharge of a firearm with intent and all other assaults.

The assault rate has remained relatively stable since 1995, and decreased by less than 1% in 1998. Assault of all levels accounted for 223,260 incidents recorded by police. A small change in common assault, which accounts for 80% of all assaults, and 60% of violent incidents, contributed to the slight decrease in overall assaults for 1998. The number of Level 2 assaults (with a weapon) remained stable while the number of level 3 (aggravated assaults) declined in 1998 for the seventh straight year.

1.12 Media influence?

The 1998 Environics survey asked Canadians about media influences on perceived crime rates: *Some people say that crime rates are not really increasing and that it's mainly the dramatic crime stories in the media that are upsetting people. Other people say that crime is really getting worse than it was before. Which of these two points of view is closest to your own?* Canadians overwhelmingly reject the notion that public concern over crime rate is the result of media publicity surrounding high profile cases. Seventy-five percent of Canadians perceive that crime really is worse now than it was in the past.

1.13 Section summary

Overall, the Canadian public does not consider crime to be an important "top-of-mind" concern. However, when pressed, certain forms of criminal activity appear to be of greater concern than others.

2.0 PERCEPTION OF CRIMINAL JUSTICE INSTITUTIONS

2.1 Confidence in the Criminal Justice System

When respondents to a 1998 National Gallup survey were asked specifically about how stringently particular institutions (police, federal government, and courts) deal with criminals, respondents continue the 30-year trend of viewing the courts as not treating offenders harshly enough (Table 6). In 1998, 72% of respondents perceive the courts as not treating criminals harshly enough, a slight decrease from 74% in 1997 and from 75% in 1996. While this percentage has declined from the 1992 high of 85%, it is still not as low as the initial 1966 rate of 43%.

Table 6: Public perception of how the courts deal with criminals: 1998

Year	Not Harshly Enough	Correct Manner	Too Harshly	No Opinion
1998	72%	19%	2%	7%
1997	74	19	1	6
1996	75	16	1	8
1995	79	16	2	4
1994	82	13	1	4
1992	85	8	3	5
1991	75	13	2	10
1986	78	12	3	7
1982	79	11	4	6
1980	63	19	4	14
1977	75	12	4	9
1975	73	13	4	10
1974	66	16	6	12
1969	58	22	2	18
1966	43	29	7	21

Source: Gallup, 1998.

Question:
I am going to read a list of some institutions which are responsible for dealing with criminals. Please indicate whether you think each one deals with criminals too harshly, not harshly enough, or in the correct manner.

The Canadian public perceives the federal government as not dealing harshly enough with criminals. In 1994, 73% of Canadians polled felt that the government does not deal harshly enough with criminals, while 15% responded that the government deals with criminals in the correct manner. The percentage of Canadians who are dissatisfied with the government's treatment has declined since 1994, to reach the current low of 63%. The percentage of Canadians who feel that the government deals with criminals in the correct manner has fluctuated since 1994, reaching its lowest percentage in 1996 (13%). It currently stands at 24%.

In 1998, 2% of Canadians continue to perceive the government as dealing too harshly with criminals. With the exception of 1995 when the percentage decreased to 1%, this rate has remained constant since 1994.

Table 7: Treatment of criminals by the Federal Government: 1998

Year	Not Harshly enough	Correct Manner	Too Harshly	No Opinion
1998	63%	24%	2%	10%
1997	68	22	2	9
1996	67	13	2	13
1995	70	20	1	8
1994	73	15	2	10

Source: Gallup, 1998.

The police continue to be viewed as treating criminals in the correct manner (59% in 1998), with 27% viewing the police as not being harsh enough (Table 8). This is similar to the 1996 and 1997 rates of 56% *correct manner* and 27% *not harsh enough*, and the 1997 53% *correct manner* and 32% *not harsh enough*.

Table 8: Treatment of criminals by the police: 1998

Year	Not Harshly enough	Correct Manner	Too Harshly	No Opinion
1998	27%	59%	9%	6%
1997	32	53	8	6
1996	27	56	10	7
1995	31	58	5	5
1994	37	48	9	6

Source: Gallup, 1998.

Similar results were generated by an Environics poll in 1998. The RCMP and local police continue to garner the highest level of public confidence as institutions within the criminal justice system, however total confidence has been decreasing since 1988 when the question was first asked. Roughly thirty percent of Canadians polled have *a lot of confidence* in the RCMP (34%) and local police (30%) in 1998, compared to 39% and 36% having *a lot of confidence* in the RCMP and local police respectively.

According to the Environics poll, a much smaller proportion of Canadians has a lot of confidence in the Supreme Court of Canada (Table 9). The current level of 20% is down eight points from 1988. Confidence in the provincial court system is even lower, with 12% of Canadians saying they have a lot of confidence in this particular institution. Support for judges (11%), and lawyers (7%) continue to drop as well. Confidence in the parole boards remains constant, albeit low at 4%. The majority of Canadians (57%) say they have little or no confidence in these institutions overall.

Table 9: Canadians' level of confidence in criminal justice institutions

	A lot	Some	Little	None at all	N/A
RCMP	34%	46%	10%	5%	5%
Supreme Court	20	49	19	7	5
Local police	30	50	11	6	3
Provincial Court	12	48	25	11	3
Judges	11	50	23	13	3
Lawyers	7	38	30	22	3
Parole Board	4	31	31	26	8

Source: Environics, 1998.

Question:
In general, would you say you have a lot of confidence, some confidence, little confidence or no confidence at all in each of the following...?

A public opinion study conducted in March 1999 by the Institute for Research on Public Policy (IRPP) yields different results from those of the Environics poll. According to IRPP, 77% of Canadians polled are *very* or *somewhat satisfied* with the Supreme Court. However, respondents are divided on the proposition that the *right of the Supreme Court to decide certain controversial issues should be reduced*, with 42% agreeing and 43% disagreeing.

2.2 Confidence

Canadians have varying levels of confidence in the different aspects of the Canadian Criminal Justice System. The law enforcement features enjoy the most confidence, with 86% of Canadians surveyed indicating that they are somewhat confident in their local police. The RCMP also maintains high overall public confidence (83%). The courts attract lower levels of confidence with 52% of Canadians expressing at least some confidence in the courts. A great deal of uncertainty lies with the prison system, where 54% of those polled indicate a lack of faith in the system. A total of 42% were *confident* in this institution, but only 6% were *very confident*. The system that inspires the least confidence is the parole system, with 72% of polled Canadians indicating little or no trust in the workings of this system. Roughly one-third of respondents were either *not very confident* (37%) or *not at all confident* (35%) in the system.

2.3 Crime and the response of the Justice System

According to the 1998 Environics poll, there has been a slight decline in public confidence with respect to the apprehension of criminals by the criminal justice system. Increasing proportions of Canadians have a negative view of efforts by law enforcement to apprehend criminals. In 1998, 39% of Canadians viewed the rates of apprehension of criminals as increasing, down from the 1994 rate of 45%. The percentage of respondents that hold the negative view, that apprehension of criminals is decreasing, has increased from 22% in 1994 to 26% in 1998.

2.4 Laws and law enforcement

When asked about laws, the enforcement of laws, and sentencing, a majority of Canadians polled (79%) are of the opinion that sentences imposed are too lenient (Table 9). Only 14% think they are about right, and 2% think they are too strict. The results are similar for laws and their enforcement, whereby 69% of respondents think that enforcement of laws is too lenient. Twenty-five percent think they are about right and 3% think they are too strict. Not only do they see enforcement as lacking, but also a majority of Canadians (65%) believe the laws themselves are too lenient. Twenty-nine percent think the laws are about right and three percent think they are too strict. All of these rates are essentially unchanged from 1994.

Table 10: Canadians' perceptions of the harshness of the justice system

	Too Lenient	About Right	Too Strict
Sentencing	79%	14%	2%
Enforcement	69	25	3
Laws	65	29	3

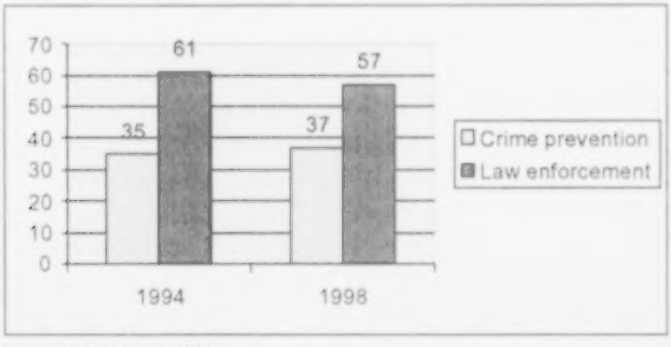
Source: Environics, 1998.

Question:
Overall, do you think that...the laws themselves are too strict, too lenient or about right...the enforcement of laws is too strict, too lenient or about right...the punishments or sentences being given by the courts to law-breakers are too severe, too lenient or about right?

2.5 Public priorities in crime and justice

When asked in the 1998 Environics survey about priorities for the justice system, crime prevention continues to be a priority among Canadians (Figure 6). In 1998, 57% of Canadians polled consider crime prevention a priority, ahead of the 37% who place law enforcement as a higher priority. However, the proportion that would like to see more emphasis on crime prevention is down four points from 1994 and those who would like to see more emphasis on law enforcement is up two points from 1994.

Figure 6: Canadians' priority for the criminal justice system



Source: Environics, 1998.

There continues to be support for making violent and youth crime a higher priority than property or white collar crime (Table 11). Among top priorities for the public are harsher sentences for all young offenders (77%, down five points from 1994), and deporting non-citizen offenders (77%, down four points from 1994). There is also support for social programs for youths (71%, down 6 points), keeping lawbreakers in prison until the end of their sentences (65%, down seven points) and for community policing (62%, down one point). As well, the public would also like to see high priority placed on more gun control measures (57%, down four points), establishing programs that encourage citizen participation in crime prevention (52%, down eight points) and programs that involve victims of crime in sentencing decisions (43%).

Table 11: Canadians' priorities for the justice system

High Priority	1994	1998
Harsher sentences for violent youth	82%	77%
Deport non-citizen offenders	81	77
Social programs for youth	77	71
Offenders serve full sentences	72	65
Increase sentences for most offenders	66	63
Increase community policing	63	62
More gun control	61	57
Citizen crime prevention programs	60	52
Involve crime victims in sentencing decisions	N/A	43
Non-violent offender programs	46	40
Hire more police	32	30
Increase social assistance	24	28

Source: Environics, 1998

Question:
Given that there are limited resources to spend, do you think each of the following should be a high priority, a medium priority, or a low priority in the areas of crime and justice...?

Overall, Canadians would like to see the limited resources spent on violent crime. Ninety-five percent of respondents assign a high priority to responding to violent crime, 89% to violence against women and 82% to youth crime. At the same time, 56% say that, despite limited resources, law enforcement should deal with all crimes, even if it means paying less attention to more serious or violent crimes. There is an almost equal distribution of Canadians who place a high priority on setting up programs to integrate violent offenders into society (40%), and those who place it on a medium priority (43%). Hiring more police officers is a lower priority (30%) as is increasing social assistance to low-income Canadians (28%).

2.6 Credibility of spokespersons

Canadians were also asked in the 1998 Environics poll about the perceived credibility of various spokespersons concerned with crime and solutions to crime (Table 12). In keeping with the most trusted professional groups within the criminal justice system, 67% of respondents mentioned police chiefs as being always/usually believable. This rate is up slightly from 65% in 1994. The next most credible source is victims' groups, with 61% of Canadians finding them always/usually believable. This current level of credibility is down from 66% in 1994. Data from Statistics Canada and academic research attracts, respectively, 59% and 57% of Canadians' credibility, remaining essentially unchanged from 1994. Television and the print news media are less well

received, with 43% and 42% respectively, being seen as credible. Government officials, both federal and provincial, are seen as the least credible, each with 31%.

Table 12: Credibility of spokespersons

Spokesperson	1994	1998
Police Chiefs	65%	67%
Victims' groups	66	61
Statistics Canada data	60	59
Academic researchers	57	57
Television reports	43	43
Newspaper reports	42	42
Federal Government officials	31	31
Provincial Government officials	30	31

Source: Environics, 1998.

Question:
When it comes to facts about crime and the solutions to crime, how believable do you find each of the following: Always believable, usually believable, sometimes believable or rarely believable...?

2.7 Section summary

Canadians' confidence in the various components of the criminal justice system has remained relatively unchanged over the past few years. The public also has a poor opinion of various criminal justice system personnel. Parole boards, lawyers and judges elicit the least, and the local police and RCMP elicit the most confidence from the public. Consistent with the levels of confidence, police chiefs are seen as the most credible spokespersons, and government officials are seen as the least credible. The public is almost evenly divided on how it would prefer to allocate the limited resources of the system, between crime prevention and law enforcement.

3.0 CRIMES OF DOMESTIC VIOLENCE

3.1 Child abuse

When asked what they think of when they hear the term "child abuse", 27% of respondents in a Gallup poll mention beating, 20% mention sexual abuse, 7% mention slapping or spanking and 6% mention verbal abuse or other acts of cruelty. Physical violence and violence account for only 2% of specific behaviour associated with the term child abuse.

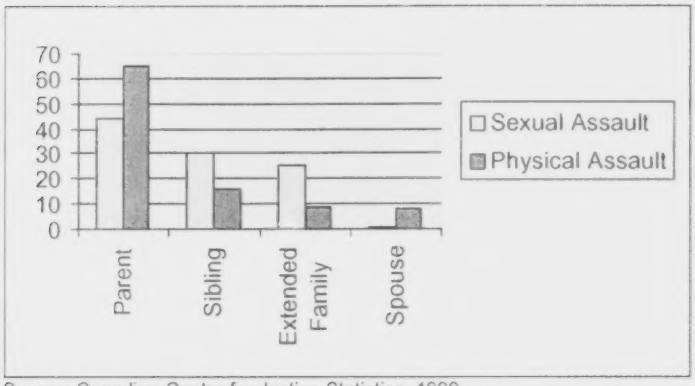
While responding to crimes of violence against children is important to Canadians, the 1998 Gallup Poll indicates that a relatively small percentage of Canadians are personally aware of incidents of child abuse. Nineteen percent of respondents were personally aware of serious incident of abuse of children by their parents. This percentage is similar to the 1997 rate of 18%. Of the 19% of those individuals aware of incidences of child abuse, the majority of respondents (28%) reported "doing nothing" or "no action taken". This is a significant change from 1997 when 43% reported "doing nothing" or "no action taken". In 1998, 23% of those aware contacted children's aid or another similar group compared with 17% the previous year.

3.2 Facts about child abuse

According to the 1999 Statistical Profile of Family Violence in Canada, a substantial proportion of harms that children incur is the result of assaults by family members. Such assaults also account for a number of children's deaths. The exact incidence of assault against children and youth is very difficult to document, as there is no comprehensive source of data to provide information on the nature and extent of such assaults within Canada. Police reports provide a partial image of violence of this nature, as do hospital records of violence-related injury and child welfare data. Assaults of this nature are often underreported as they generally involve victims who are dependent on their abusers, and the assaults take place within the privacy of the home. Such violence can take the form of physical or sexual assaults.

According to police statistics from 1997, in one quarter of all reported assaults against children, family members were suspected as perpetrators (Figure 7). Parents are the primary perpetrators of physical assaults (65%) and sexual assaults (44%), followed by siblings, 19% and 30% respectively, and extended family members (related by blood, marriage, common-law and adoption) accounted for 9% of physical and 25% of sexual assaults.

Figure 7: Perpetrators of assaults against children



Source: Canadian Centre for Justice Statistics, 1999.

3.3 Section summary

When Canadians think of child abuse, they tend to think primarily of physical violence such as beating and sexual abuse. In reality, violence accounts for only 2% of specific behaviour associated with the term child abuse. However, assaults by family members on children accounts for a substantial amount of harm or death to children. At the same time, a relatively small percentage of Canadians report being personally aware of incidences of child abuse. Of those that are aware, the majority reports that they did not take any action. One possible explanation for this is that the perpetrators are most frequently parents and siblings, who would be unlikely to incriminate themselves.

4.0 THE CRIMINAL JUSTICE SYSTEM

4.1 Courts

4.1.1 Alternatives to incarceration

A 1997 Angus Reid poll examined the public's attitudes towards alternatives to incarceration. Eighty-five percent of respondents were supportive of the broad concept of alternative penalties to imprisonment for non-violent crimes, and 14% were against it. Of those opposed to alternatives, 32% claimed it was because the system is too lax and/or not tough enough; 31% felt that offenders deserve prison; 10% thought the offender would re-offend; 6% said it depends on the crime and 5% each cite community safety and fear that alternatives to prison would not work (Table 13).

Table 13: Reasons for opposition to alternatives to incarceration: 1997

Reason for Opposition	%
System is too lax	32
Offenders deserve prison	31
Offenders will re-offend	10
Depends on the crime	6
Community safety	5
Alternatives to prison will not work	5

Source: Angus Reid, 1997.

Of those who support alternative penalties to incarceration, support is only strong for selected crimes. Canadians favour alternatives for crimes such as personal marijuana possession (81%) and prostitution (78%). Close to two-thirds (63%) of respondents support alternatives for credit card fraud, and 52% support alternative penalties for car theft. In contrast, 63% oppose alternatives to incarceration for drunk driving, and 68% oppose alternatives in the case of million-dollar embezzlement.

When asked to evaluate specific alternatives to prison (Table 14), respondents demonstrate the most support for alternatives that put more emphasis on having offenders perform community service as the penalty (85%). These results are relevant in this case only for non-violent offenders. An equivalent number (84%) support alternatives which require that offenders compensate their victims. Electronic monitoring also garnered a significant amount of support (69%). Support was also high for having more "halfway houses" in Canadian communities (67%) and for imposing larger fines (67%). The one alternative that did not garner a lot of support was early parole. This alternative was opposed by 52% of respondents, whereas 37% supported it.

Table 14: Public support for specific alternatives to incarceration

Alternative to Incarceration	Support
Perform Community Service	85%
Offender compensates victim	84
Electronic monitoring	69
More "halfway houses"	67
Larger fines	67
Parole	37

Source: Angus Reid, 1997.

Canadians were also asked about the aims of incarceration: public safety, rehabilitation, and punishment. Public safety is foremost in importance for Canadians, with 37% of respondents citing it as the primary goal of incarceration. Rehabilitation was viewed as a primary goal by 34%, and 17% cited "punishment of the individual for committing the crime" as a principal concern. Ten percent of those polled volunteered the belief that all three goals are equally important.

Respondents were asked where priorities should be assigned with respect to crime prevention strategies within Canada (Table 15). Canadians tend to favour social development programs over law and order and community crime prevention strategies. Eighty four percent of respondents polled felt social development programs such as drug and alcohol education, community recreation, and support for young parents should be a higher priority than it currently is. Law and order efforts, whereby more police are available at the street level to crack down on criminal behaviour, was favoured by 74% of respondents. The same percentage gave high priority to community crime prevention programs such as Block Parents, and Neighborhood Watch to make it tougher to commit crimes.

Table 15: Priorities in crime prevention strategies

Crime prevention strategy	Priority
Social development	84%
Drug and alcohol education Community recreation Support for young parents	
Law and Order efforts	74%
More police at street level	
Community crime prevention	74%
Block Parents Neighborhood watch	

Source: Angus Reid, 1997.

4.2 Sentencing

4.2.1 Courts and sentencing

A National Angus Reid Poll in July of 1999 explored the public's opinion on sentences in Canada. The poll indicates that 69% of respondents believe that sentences handed down by the courts are not severe enough.

A 1997 Angus Reid poll on the purposes of sentencing yields similar results as the aforementioned question on the aims of incarceration. Almost equal numbers of respondents listed protecting the public (27%), imposing a punishment that reflects the seriousness of the crime (26%), and discouraging the offender from further crimes (24%). A smaller percentage of respondents listed rehabilitation (16%) as a main purpose of sentencing. Six percent volunteered that the four goals of sentencing - public protection, proportionality, deterrence, and rehabilitation - were of equal importance.

A 1999 Angus Reid Poll also looked at public opinion of sentencing in Canada. With respect to the newly established conditional sentences, the majority of Canadians polled were unable to correctly identify the definition of a conditional sentence from a three-option multiple choice question. Forty-three percent of those polled correctly identified the definition of a conditional sentence as one that allows an offender "who would otherwise go to prison to serve the sentence in the community". A significant number (38%) chose the definition of parole which "allows an inmate in prison to be released into the community to serve part of the sentence". A smaller proportion (13%) chose the definition of bail which "allows people charged with an offence to await trial in the community".

The same poll also looked more closely at Canadian's support for the use of conditional sentences in specific cases (Table 16). After providing a description of a conditional sentence order, six scenarios were presented and respondents were asked to choose between a prison sentence and a conditional sentence for the offence. The public's responses showed variation in the crimes for which they would favour imposing a conditional sentence. An overwhelming majority (97%) of those polled would reject a conditional sentence in a case of sexual assault. For impaired driving and employee fraud, 74% and 70% respectively would reject a conditional sentence in favour of a prison sentence. Respondents were more open to a conditional sentence in the case of a disagreement in a bar that leads to a conviction of assault causing bodily harm (76%). The two scenarios that involve a relationship of trust, a husband assaulting his wife and a lawyer stealing money from a client, elicited differing responses. Sixty-two percent of respondents favoured a conditional sentence for the spousal assault, while 58% chose prison for the lawyer theft case.

Table 16: Support for imprisonment or conditional sentence for particular offences

Offence	Conditional sentence	Prison
Sexual assault	3%	97%
Impaired driving	26	74
Employee fraud	30	70
Assault causing bodily harm (Bar fight)	76	24
Husband assaults wife	62	38
Lawyer steals from client	42	58

Source: Angus Reid, 1999.

The poll also sought to examine the impact of differing amounts of information with respect to conditional sentences. The sample was split into three groups, and each group was presented with the same crime description. Different levels of information were provided about the punishment. For each scenario, a constant option of six months in prison was presented. The other option was a conditional sentence, the description of which varied across situation. When respondents were asked to choose between a six-month prison sentence and a six-month conditional sentence, with no discussion of the specific conditions to be imposed, 72% of respondents chose the prison term over the conditional sentence. When the conditions of the sentence were made explicit, 64% of respondents chose the conditional sentence over the prison term (35%). In the final scenario, in which the conditional sentence was extended to one year, an even greater majority (72%) of respondents chose the conditional sentence over the prison term. Thus, the researchers conclude that with respect to public acceptance of conditional sentences, the nature of the conditions is more important than the duration of the sentence.

4.3 Corrections

4.3.1 Prisons and alternate sentencing

A 1998 Environics poll examined Canadians' views about prisons and alternative sentencing. When the question indicated that the country's prisons are full, and asked if more prisons should be built or if alternate sentences such as probation orders or community service orders should be used, 54% of respondents favoured the latter. Still, a significant minority (35%) believe that more prisons should be built so current incarceration rates can continue. When those in favour of building more prisons are told that those who work within the criminal justice system support alternate sentences for low-risk, non-violent offenders, 75% of those previously opposed to alternate sentences would favour such developments. Sixteen percent remained committed to the use of incarceration.

4.3.2 Parole

As noted earlier, Canadians do not have a lot of confidence in the parole system, and a substantial majority of those polled (65%) would like to see it made more strict. However, support for a stricter parole system is down ten points from the 1993 result of

75%. As well, support for an expansion of the current system is up four points from 6% in 1993 to 10% in 1998.

Parole, or conditional release, allows an inmate to apply to serve the remainder of the sentence in the community under supervision. Generally, one-third of the sentence must have been served before an inmate becomes eligible to apply for parole.

The majority of parolees successfully serve the remainder of their sentence in the community without committing additional offences or violating parole conditions. According to CCJS data, in 1997-98, 78% of provincial inmates on full parole were successful. Sixty-seven percent of federal inmates on full parole were successful. Of those who were returned to prison, 22% were returned for breach of a parole condition, such as failing to refrain from alcohol consumption; 10% were returned for a new, non-violent offence; and 1% were returned for a new, violent offence.

4.4 Section summary

The majority of Canadians appear to be in favour of using alternative penalties to incarceration for non-violent crimes. Crimes that have been deemed appropriate for such a sanction include car theft, personal marijuana possession, and prostitution. Canadians also favour alternatives that emphasize community service and victim compensation. One reason for choosing these particular offences and alternatives stems from a concern for public safety, an important factor in sentencing.

Public acceptance of the use of a conditional sentence depends on the nature of the conditions imposed, more so than the duration of the sentence.

The public would also like to see parole made more strict, regardless of the fact that the majority of parolees successfully complete the remainder of their sentence outside of an institution, without violating parole conditions.

5.0 PUBLIC AWARENESS AND PERCEPTIONS OF LAW REFORM INITIATIVES

5.1 Gun control

In 1994, prior to the passage of firearm registration laws in Canada, Gallup conducted a public opinion poll on support for or opposition to a law that would require all firearms in Canada to be registered with the federal government. This poll was conducted again in 1995 and 1998. The results indicate fluctuating support for such a registry (Table 17). In 1994, 83% of respondents favoured a federal registry. This proportion dropped to 64% in 1995, and then rose to 72% in 1998. Opposition to the law has also fluctuated accordingly, as 14% were opposed in 1994, 31% were opposed in 1995 and 23% were opposed in 1998. The proportion of respondents who are of no opinion has continued to increase over time, regardless of those in favour or in opposition. The percentage of Canadians with no opinion on the matter has increased from 2% in 1994, to 5% in 1995, and then to 6% in 1998.

Table 17: Attitudes towards National Firearms Registry

Year	Favour	Oppose	No Opinion
1998	72%	23%	6%
1995	64	31	5
1994	83	14	2

Source: Gallup, 1998.

Question:
Would you favour or oppose a law that would require all firearms in Canada to be registered with the federal government?

Similar results emerge from an Angus Reid poll conducted in 1995 that also looked at support for mandatory registration of firearms. The results of this nation-wide survey indicate that overall, 71% of Canadians support mandatory registration, with 54% strongly supporting it. Twenty-eight percent of Canadians opposed mandatory registration, with 19% strongly opposed. The same Angus Reid survey examined support for the (then) proposed legislation overall, and found that 62% of Canadians supported it, while 32% opposed such legislation.

When the Angus Reid poll looked into gun control as a measure to reduce crime, a small majority (52%) of respondents indicated that legislation would not reduce crime. This reaction was strongest among those firmly opposed to the legislation (93%) and moderately opposed (85%) to it. Interestingly, 53% of those who moderately support gun control do not believe that such legislation will reduce crime, compared to 44% of that same category who believe it will reduce crime. Twenty-three percent of those who strongly support gun control legislation do not believe the legislation will reduce crime.

In November of 1998, Gallup conducted another poll on support for stricter gun laws overall. The results reveal that 67% of Canadians polled support stricter regulations for the sale of guns, down from 77% in 1994. In both years, 3% of respondents felt that such laws should be less strict. In 1998, 24% of those polled felt that the current laws should be maintained, up from 19% in 1994.

The poll also looked more specifically at what types of individuals should be allowed to own a gun, the general public or hunters and trapshooters. The majority of Canadians believed that members of the general public should not be allowed to own a gun, although the 1998 level of 63% is less than the 1994 rate of 73%. In 1998, 34% of people were in favour of the general public owning guns compared to 25% in 1994.

5.1.1 Guns and the general public

When asked what requirement should have to be met by the general public to legally own a gun, the strongest support was for a firearm-training course (94%). The 1998 result is slightly less than in 1994, when 96% of those polled favoured such a requirement. Less than 10% in each year were opposed to a firearm-training course. A police background check was deemed to be an important requirement by 89% of those polled, down from 93% in 1994. Support for a psychological evaluation was strong, but not as strong as for other requirements. Sixty-one percent of respondents favoured a psychological evaluation, While 37% did not. In 1994, 63% of respondents were in favour and 33% were opposed. The majority of respondents (87%) were supportive of a minimum age requirement of 18 years for gun owners. This question was not asked in 1994.

5.1.2 Guns and recreational use

There is considerable support among Canadians to permit hunters and trapshooters to own guns. In 1994, the proportion of respondents in favour was 81%, and this number rose to 84% in 1998. A smaller percentage (14%) of respondents in 1998 were in opposition to these individuals owning guns, than in 1994 (16%). Similar to requirements for the general public, Canadians recommend that hunters and trapshooters be required to take a firearms Training course. However, the 1998 result of 95% is down slightly from 1994 when 98% of respondents were in favour of such a course. A smaller proportion in 1998 (91%) than in 1994 (95%) would require a police background check, although these percentages remain high nonetheless. The least support was for a psychological evaluation, and once again support has decreased from 1994 (74%) to 1998 (67%). Ninety-one percent of respondents were in favour of a minimum age requirement of 18 years.

A 1998 Environics poll found even stronger support for gun control legislation, with respect to gun registration and gun ownership. Registration of all firearms is supported by 85% of Canadians, while 14% are opposed. According to this poll, support has increased since 1995 when the debate over Bill C-68 was in progress.

Support for legislation preventing civilians from owning handguns is also strong among Canadians, with a majority of 67%. This majority is essentially unchanged from 1994 and the proportion of those who strongly support such legislation has increased from 46% in 1994 to 49% in 1998. Overall opposition to the legislation is at 31%, with 17% holding strong opposition.

A 1999 CBC/Maclean's Poll compared Canadian and American values on a number of issues. With respect to gun registration, 80% overall of Canadians strongly or somewhat agree that all guns should be registered, compared with 78% of Americans. Seventy-one percent of Canadians strongly agree that all guns should be registered, compared with 68% of Americans.

6.0 YOUTH CRIMINAL JUSTICE ACT

In April of 1999, an Environics poll was conducted to explore public reaction to the proposed Youth Criminal Justice Act. The results indicate a majority of Canadians support many of the provisions. However, many Canadians polled feel that the legislation does not go far enough. A National Gallup Poll conducted in April 2000 revealed similar results.

6.1 The legislation

When asked if, overall, the legislation goes too far, not far enough or is about right in dealing with youths who commit crime, a plurality of 48% of Canadians polled say that it does not go far enough. Conversely, 40% say it is about right and five percent think that the proposed act goes too far.

A strong majority (94%) supports the creation of a new category for repeat violent young offenders, who would be subject to adult penalties. Seventy-five percent of respondents strongly approve of such a provision, and 5% disapprove.

6.2 Sentencing

Sentencing young people convicted of a non-violent offence to community service-like orders instead of jail was supported by 92% of respondents. Seventy-two percent strongly approve and seven percent disapprove.

A substantial number (85%) favour making young offenders or their parents pay for legal counsel and 61% of those in favour strongly approve.

A final provision that Canadians supported deals with sentencing youths 14 years and older as adults. There was strong support for this provision (74%), however support was not as strong as for other provisions. Fifty-eight percent strongly approve of this provision, and 24% disapprove.

There is also considerable support for allowing the publication of names of youth sentenced for serious crimes. Eighty percent overall of those polled are in favour, with 64% being strongly in favour. Only 18% disapprove.

6.3 Age of offender

When asked specifically for the age at which a person charged with a serious crime should be tried in adult court, forty one percent of respondents mention an age below 15 years. Of these, 20% suggest 14 years of age, 10% suggest 12 years of age and only one percent suggests less than 10 years of age. Conversely, another 41% suggest an age above 16 years, with 28% of respondents suggesting 16 years of age specifically. Only one percent suggests an age above 18 years. Ten percent are of the opinion that anyone charged with a serious crime should be tried in adult court, regardless of age.

A National Gallup Poll conducted in 2000 asked Canadians about their views on the suggested changes to the Young Offenders Act. The overwhelming majority (88%) of Canadians supports a strict Young Offenders Act, which would allow an offender to be tried as an adult at age 14, as opposed to the previous 16 years of age. This change applies to offenders aged 14-16 and charged with murder, aggravated sexual assault or those offenders that fit in the new category of repeat violent offender.

A majority of Canadians (86%) are also supportive of changes that would increase the maximum sentence for young offenders convicted of first degree murder from 10 years to 25 years. Thirteen percent (13%) of respondents disapprove of such a change, and 1% are of no opinion.

Support for a lifetime criminal record for violent young offenders is slightly less popular, although a considerable majority (77%) approves. Twenty-two percent disapprove of a provision of this nature. An equal percentage of Canadians (77%) believe that young offenders' names should be published if they are convicted of a serious crime, contrary to the anonymity that the Act currently provides. Again, 22% disapprove of such a provision and 1% hold no opinion.

Canadians are also supportive of parents of young offenders having more responsibility with respect to crimes committed by their children, however such support does not extend to parents serving jail time for their children's offending. Three quarters of Canadians polled are of the opinion that parents who are able to pay should be responsible for legal fees, and not the province. Twenty three percent (23%) disapprove of the provision. There is substantially less support (36%) for parents serving jail time of up to two years if children in their care re-offend. The majority (61%) disapproves.

6.4 Native justice system

A majority of Canadians view a separate Native Justice system as a good development, according to a 1998 Environics survey. Fifty-six percent of those polled, compared with 51% in 1994, support a separate system. The current result is higher than the initial proportion of 53% in 1988 who were supportive. The rate has been stable, and was at an all time low in 1990, possibly as a result of the Oka crisis that occurred at that time. The proportion of those who view it as a bad development has declined from 40% in 1994 to 34% in 1998.

6.5 Section summary

Canadians are supportive of issues relating to gun control, as well as separate justice systems for young offenders and natives.

With respect to gun control, the majority of Canadians do not believe that the general public should be allowed to own guns, with the exception of sport hunters and shooters. The level of support for such prohibitions, as well as for gun registries has fluctuated over the years, but continues to remain relatively high.

Support for a separate youth justice system also remains strong, although many Canadians feel that the legislation does not go far enough. There appears to be support for instilling more accountability for both young offenders and their parents. Canadians are in favour of having youth perform community service work, in lieu of some form of incarceration. A large majority of Canadians also favours having parents of young offenders pay for their children's crimes. At the same time, a substantial proportion of the public is in favour of lowering the minimum age at which one can be tried in adult court to 14 years of age and under.

7.0 OTHER CRIMINAL JUSTICE ISSUES

7.1 Legalization of marijuana

When Canadians were asked in a 1999 CBC/Maclean's poll whether marijuana should be legalized, 45% strongly or somewhat agree in legalization. However, only 18% strongly agree. When compared with Americans, 29% are strongly or somewhat in favour of legalization, and 12% strongly agree.

7.2 Private security firms

Canadians are open to the idea of using private security firms as a way of reducing costs within the justice system. According to the 1998 Environics poll, 85% of respondents are supportive of private businesses using private security firms. However, 37% are only somewhat supportive, suggesting a concern for the private sector taking over services traditionally performed by the public sector in the form of local police forces.

Canadians are also supportive of using private security firms for patrolling airports and ports, with 70% being in favour and 23% opposed. Of those in favour, 33% are strongly supportive whereas only 13% are strongly opposed.

There appears to be less support for the use of private security firms for running prisons. Forty eight percent of those polled are supportive, while 43% oppose the use of private security firms for running prisons. A greater percentage of respondents are strongly opposed (25%) than are strongly supportive (18%) of such an initiative.

When probed further as to what specific concerns Canadians have about the use of private security firms in prisons, 26% cited worries that prisons would become less secure and there would be more escapes (Table 18). Fewer were concerned about job losses or wage cuts for prison workers (15%), worse conditions (10%) and poorer programs for inmates (9%), and that guards would be less competent and not properly trained (8%).

There is little concern with regards to corruption and bribery (5%), lower standards (5%), lack of accountability (4%) and that it is not a good idea in general (2%). Interestingly, 21% indicate no concerns about private sector involvement in prisons.

Table 18: Concerns if private security firms ran more prisons

Concern	%
Less secure/more escapes	26
Job losses/wage cuts for prison workers	15
Profits for private sector	12
Worse conditions for inmates	10
Poorer programs for inmates	9
Guards nor properly trained/incompetent	8
Corruption/bribery	5
Lower standards/not strict enough	5
Lack of accountability/needs regulation	4
Not a good idea/negative responses	2

Source: Environics, 1998.

Question:
What concerns, if any, would you have if private security firms became more involved in running more prisons?

7.3 Wrongful convictions

An Angus Reid poll from May of 1995 provides some information about how Canadians feel about wrongful convictions. These results were gathered in the wake of two high-profile wrongful conviction cases, that of Guy Paul Morin, acquitted of murder in January of 1995 after serving ten years in prison, and Donald Marshall, whose murder conviction was overturned after spending more than 20 years in prison.

The results of the poll indicate that 65% of Canadians surveyed said they believe that some notable recent examples of wrongful convictions are indicative of a justice system that *should increase its efforts to deal with people who claim they have been wrongly convicted.* This result is more than double the percentage (30%) of those who feel that wrongful convictions rarely happen and the justice system *should carry on the way it always has when people claim they have been wrongly convicted.* Additionally, 90% of those surveyed felt that those individuals who are wrongfully convicted should receive financial compensation, believing *that a wrongful conviction is the justice system's fault, therefore, these people should receive financial compensation from governments for what happened to them.*

7.4 Death penalty

Support for the death penalty has varied over the past 20 years, when Gallup first asked about it in their National Poll. Results of the 1998 poll indicate that if a national referendum were held on the question of executing an offender convicted of murder, 61% of Canadians would vote for reinstatement of the death penalty (Table 19). The current level of support is similar to the rate from the late 1980s and early 1990s when support was in the range of 59% in 1994 to 61% in 1987. This rate has been climbing since 1996, when support reached an all-time low of 55%. The highest levels of support occurred in 1984, when it reached 71%.

Table 19: Support for reinstatement of the death penalty

Year	For	Against	Undecided
1998	61%	35%	4%
1997	63	30	6
1996	55	36	9
1994	59	32	9
1990	60	33	7
1987	61	28	11
1986	68	20	12
1985	68	22	10
1984	71	21	8
1982	70	19	11
1978	68	20	11

Source: Gallup, 1998.

Question: If a national referendum were held today on the question of executing a person for murder, would you vote for reinstating the death penalty in Canada or would you vote against reinstating it?

Gallup asked respondents if their views would change, given hypothetical evidence that capital punishment did not act as a deterrent to murder (Table 20). Of those who currently favour the death penalty, 75% would continue to hold that opinion, suggesting to the authors of the study that those who favour the death penalty hold such beliefs that it is a just punishment for murder. When those who oppose capital punishment were presented with hypothetical information that capital punishment did act as a deterrent for murder, 76% retained their original position. The authors infer from this result that those who hold this view do so because they support a "sanctity of life" line of reasoning.

Table 20: Attitude concerning death penalty even if proven it does not lower murder rate

Year	Still favour	Now oppose	No opinion
1998	75%	22%	3%
1997	73	21	6
1996	70	24	6
1994	75	20	6
1990	77	21	3

Source: Gallup, 1998.

Question: Suppose new evidence showed that the death penalty does not act as a deterrent to murder, that it does not lower the murder rate. Would you favour or oppose the death penalty?

Gallup also asked Canadians whether they believe that the death penalty serves as a deterrent to murder (Table 21). Since this question was first asked in 1987, the percentage of those who believe it to act as a deterrent has remained relatively constant. Support for this statement was highest in 1994 (58%) and the current low of 53% is similar to 1990 (54%) and 1996 (53%). The percentage of those who do not believe the death penalty serves as a deterrent continues an upward trend from 36% in 1987 to 41% in 1998.

Table 21: Attitude concerning death penalty if proven it does act as a deterrent to murder

Year	Still oppose	Now favour	No opinion
1998	76%	19%	5%
1997	72	25	3
1996	68	28	4
1994	71	23	6
1990	70	25	5

Source: Gallup, 1998.

Question: Suppose new evidence showed that the death penalty acts as a deterrent to murder, that it lowers the murder rate. Would you favour or oppose the death penalty?

7.5 Section summary

Canadians are supportive of efforts to lessen spending within the criminal justice system, but not if such cuts will compromise public safety. While the use of private security firms for running private businesses is acceptable, the same cannot be said for running prisons.

There is also some concern surrounding wrongful convictions. The public would like to see increased efforts to deal with those people who believe they have been wrongly convicted. Conversely, while Canadians are concerned about potential wrongful convictions, support for the reinstatement of the death penalty for those convicted of murder continues to increase.

8.0 YOUTH JUSTICE ISSUES

The *Young Offenders Act* elicited the most distrust of all institutions according to the 1998 Environics poll. Roughly 72% of Canadians reported a lack of faith in the Act. Thirty-nine percent of those surveyed were not at all confident in the youth justice system, and 26% were at least somewhat confident.

The 1998 Environics poll looked at specific aspects of the justice system's treatment of young Canadians, and 74% of respondents agreed that *problems that children are having with the law could be solved by parents and community without involving the legal system*. At the same time, there was a lack of consensus as to whether there should be separate and independent criminal justice systems for youth under 18 and adults, with 52% being for a separate system, and 47% being against.

8.1 Youth gangs and violence

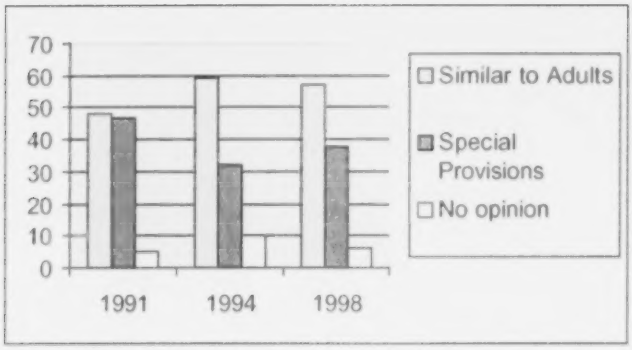
In 1998, Gallup introduced a new question relating to Canadians' perceptions of the number of youth gangs. The results indicate that 43% of respondents felt that the number of youth gangs had increased from 5 years ago, while 15% believed that such gangs were less prominent. Thirty-two percent believed that the number has remained the same and 2% had no opinion.

This same poll asked respondents how violent they thought the actions of youth gangs were. Thirty-six percent reported the actions to be very violent, 42% indicated that they are somewhat violent and 14% believe the actions of youth gangs are not very violent.

8.2 The *Young Offenders Act* and proposed Youth Criminal Justice Act

A national Gallup poll conducted in 1998 indicates that Canadians are in favour of stricter penalties for and treatment of young offenders (Figure 8). Of adults polled, 57% are of the belief that accused youth (between ages 12-17) should be tried in courts similar to adult courts. When asked if young offenders should be provided with special provisions and sentences, 38% were in favour of this option. These rates are slightly different from the 1994 results, which indicate that 59% of those adults polled would like to see accused youth tried similar to adults, and 32% of which would like to see youth tried with special provisions.

Figure 8: How offenders between the ages of 12 and 17 should be tried



Source: Gallup, 1998.

Question

Do you believe that people accused of being young offenders in Canada, that is people between the ages of twelve and seventeen, should be tried in courts similar to accused adult offenders, or should there be special provisions and sentences for accused young offenders?

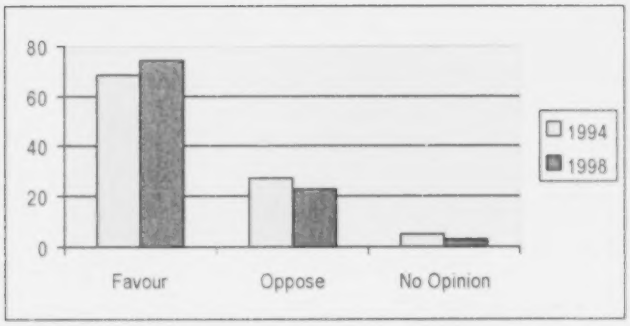
When questioned further about the proposed changes to the *Young Offenders Act*, 70% of respondents, in both 1998 and 1994 favour lowering the maximum age limit from 17 to 15, so that 16 and 17 year olds can be tried in adult courts and serve time in adult prisons. The 1994 poll indicates that 26% oppose lowering the maximum, and the 1998 poll indicates that 27% are opposed. In both polling years, 4% are of no opinion.

When asked if the minimum age should be lowered from 12 to 10 so that 10 and 11 year olds can be charged with crimes under the act, a smaller percentage of respondents were in favour. A smaller percentage in 1998 (52%) than in 1994 (59%) favour such changes, and opposition to such changes is greater in 1998 (44%) than in 1994 (36%).

Respondents in 1998 are less in favour (57%) of requiring parents to pay for loss and damage caused by their children than respondents were in 1994 (61%). Opposition to such a proposal is also stronger in 1998, at 40%, than in 1994 when it was 32%.

When asked if it should be mandatory for all youth convicted of offences of violence such as armed robbery, assault, rape and murder to be tried in adult court and serve time in adult prisons, a larger percentage of respondents in 1998 (74%) than in 1994 (68%) were in favour (Figure 9). Fewer respondents in 1998 (23%) were opposed to such changes than in 1994 (27%).

Figure 9: Violent Juvenile Offenders being tried in adult court and serving time in adult prisons



Source: Gallup, 1998.

Question:
Please indicate whether you would favour or oppose making it mandatory for all youths convicted of violent offences, such as murder, rape, assault, armed robbery, to be tried in adult court and serve time in adult prisons?

Finally, when asked whether criminal records of repeat young offenders should remain active, and not be destroyed once the individual reaches adulthood as under the current legislation, 82% of Canadians polled were in favour of keeping them active. Fourteen percent were opposed. This was the first year that this question had been posed.

8.3 Students' knowledge and perception of the *Young Offenders Act*

A report to the Department of Justice in 1996 (Peterson-Badali, 1996) examined students' knowledge and perceptions of the *Young Offender's Act*. The report used questionnaires and semi-structured interviews to evaluate a limited sample of Canadian students' understanding of the youth justice system. Students showed good knowledge of the legal terminology, with 61% overall were able to identify the correct definition of the right to retain and instruct counsel. There was an effect for age: students between the ages of 10 and 13 were less able than 14 to 18+ year old students to respond correctly.

Students were also asked to rate the general harshness of dispositions given to young offenders. The rating was made on a five-point scale, ranging from *almost always too harsh* to *almost always too easy*. Thirty seven percent of students rated dispositions as *about right* and *often too easy*. Twenty percent rated dispositions as *almost always too easy*.

Interestingly, as age of the students increased, perceptions of dispositions as too lenient also increased. The author attributes this to the possibility that as age increases, so does exposure to public portrayals of youth dispositions as not sufficiently harsh, and to punitive attitudes to youth in general.

With respect to knowledge of age boundaries, less than half of the students were able to correctly identify age 12 as the lower limit. When asked what they thought that the lower age boundary should be, the average age suggested was 11 years old. Students in the 14/15-year age group suggested a lower age than the 10/11-year-olds, which suggested a significantly higher minimum age.

Similar to adults, the students overestimated the percentage of violent youth crime. Female students estimated the prevalence of youth crime at between 50 and 69 percent, while males estimated it to be between 40 and 59 percent. The actual percentage for violent youth crime in 1994 was 18% (Canadian Centre for Justice Statistics, 1999).

The report also looks at knowledge as a function of legal education. Legal education had few significant effects on knowledge and perception. Those students with some previous background legal education were more likely to respond correctly to questions relating directly to the law. There were no differences between the legally educated and the legally uneducated with respect to questions addressing perceptions of youth crime.

A study by Jane Sprott in 1998 attempts to shed some light on to the issue of public dissatisfaction with and perceived leniency towards the treatment of young offenders and youth crime in general. The researcher was interested in the relationship between punitive views influencing preferences in specific cases, and general beliefs that the youth system does not work. A sample of 1,006 people throughout Ontario was questioned about either youth or adult crime. Consistent with national Gallup results, the results of this study indicate that 64% of respondents oppose or strongly oppose a separate youth justice system, and 36% favour a separate system. Of those who oppose the separate system, 93.3% thought that youth court sentences were not sufficiently severe, and 72.9% thought that sentences for youth should be as harsh as those for adults. Of those who favoured a separate system, 71.1% thought that sentences were not severe enough and 52.1% thought that sentences should be as harsh as for adults. However, 82.6% of those who opposed a separate system were not supportive of placing youth in the same facilities as adults.

In terms of general perceptions of youth crime, those who opposed a separate system estimated youth recidivism as higher than did those in favour of separate systems. The former was more fearful of walking alone after dark, perceived crime in both the province and the neighborhood as increasing, and believed that the number of youth charged with murder had increased.

When presented with a specific case of a young person found guilty of stealing a TV and VCR from a house, of those who oppose a separate system, 31.7% preferred prison to a community service. This is compared to 20.5% of those who favour a separate system preferring to sentence the youth to prison. Again, those opposed to a separate system appear to be more punitive.

However, when asked about the effectiveness of community service orders (CSO's), those who opposed a separate justice system believed that youth would not complete the work ordered, that they would not learn anything positive and that the CSO would not accomplish accountability. Those did not significantly hold these beliefs in favour of separate systems.

As well, 79% of both those who oppose separate systems and those who favour separation are supportive of investments in alternatives to prisons and not the construction of more prisons. Similarly, 89% favoured an investment in prevention as opposed to prisons. This held true for groups both for and against separate youth justice systems.

Sprott (1998) concluded from the study that people's broad punitive views do not provide adequate explanation for other views. There exists a complex relationship between opposition to separate systems and punitiveness. People may endorse harsh sentences in the abstract, but be more lenient in specific cases. People are not concerned merely with punishment, but have a concern about the youth justice system as being able to successfully implement anything other than imprisonment. For more on this topic, please see Doob, A. 2000; Sprott & Doob, 1997; and Doob, Marinos and Varma, 1995.

8.4 Facts about youth crime

The overall rate of youths charged with *Criminal Code* offences decreased, continuing a seven-year trend (Canadian Center for Justice Statistics, 1999). Compared to 1991 when youths were charged with criminal code offences at a rate of 6,259 per 100,000, the 1998 rate was 4,363.

The majority of youth crime is property-oriented, and accounts for more than half (51%) of all youth crime, as opposed to 37% of adults charged. While 29% of adults were charged with violent crime, 20% of youth were similarly charged. Other *Criminal Code* offences such as mischief and offences against the administration of justice account for the remaining 29% of charges, compared with 34% for adults.

It would appear that the rate of violent crime has increased dramatically from a decade ago, when 68% of youths were charged with property crimes and 10% were charged with violent crimes. However, increases in youth charges for common assault (level 1), and decreases in charges for theft and break and enter account for the bulk of the shift.

The rate of youth charged with violent crime declined slightly in 1998 (-1%). The rate of robberies and sexual assaults decreased (-6% and -4% respectively) in 1998, and homicides and assaults increased (+3% and +1% respectively). The overall violent youth crime rate is still considerably higher than it was a decade ago (+77%).

8.5 Section summary

Canadians' concern with young offenders is not warranted, as statistics indicate that youth Criminal Code offences continues to decrease over the past seven years. Of these offences, more than half are property crimes, and only a few are violent. Despite the low numbers of violent offenders, Canadians are increasingly in favour of mandatory adult trials and serving time in adult prisons for youth convicted of violent crimes such as armed robbery, assault, rape and murder.

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